

IN THE UNITED STATES DISTRICT COURT**FOR THE EASTERN DISTRICT OF PENNSYLVANIA****CROSS ATLANTIC CAPITAL PARTNERS, INC., CIVIL ACTION**

Plaintiff,

NO. 07-CV- 02768-JP

v.

FACEBOOK, INC. and THEFACEBOOK, LLC,**ORAL ARGUMENT REQUESTED**

Defendants.

FACEBOOK MOTION NO. 2**FACEBOOK’S NOTICE OF MOTION AND MOTION FOR
SUMMARY JUDGMENT OF INEQUITABLE CONDUCT**

COME NOW the defendants Facebook, Inc. and Thefacebook, LLC (collectively, “Facebook”), by and through undersigned counsel, and hereby move for summary judgment of inequitable conduct during prosecution of U.S. Patent No. 6,519,629 rendering said patent unenforceable.

The grounds for this motion are set forth in the accompanying memorandum, statement of material facts in accordance with the Hon. John R. Padova’s Policies and Procedures, attorney declaration and attached exhibits, which are incorporated by reference as if fully set forth herein.

A certificate of service and proposed order are also supplied herewith in accordance with Local Rules 7.1(a) and (d).

Oral argument is hereby requested in accordance with Local Rule 7.1(f).

WHEREFORE, defendant Facebook respectfully requests that this Court grant its motion for summary judgment of inequitable conduct and enter an order finding the patent unenforceable by virtue of inequitable conduct.

Respectfully submitted,

Dated: June 20, 2008

By: /s/ Heidi L. Keefe

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THEFACEBOOK, LLC

CERTIFICATE OF SERVICE

This is to hereby certify that on June 20, 2008, I caused a true and correct copy of the foregoing Facebook's Notice Of Motion and Motion for Summary Judgment of Inequitable Conduct to be served via this Court's Electronic Filing ("ECF") System, upon the following:

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